

Montana State Legislature

2013 Session

ADDITIONAL DOCUMENTS MAY INCLUDE THE FOLLOWING:

- **Business Report**
- **Roll Call – Attendance**
- **Standing Committee Reports**
- **Tabled Bills**
- **Fiscal Reports etc.**
- **Roll Call Votes**
- **Informational Items**
- **Witness Statements**
- **Any Documents; such as;**
 - ***Petitions if any.**
 - ***Any and all material handed end after the meeting ends.**

**The original is on file at the
Montana Historical Society
and may be viewed there.**

**Montana Historical Society
Archives**

225 N. Roberts

Helena MT 59620-1201

2013 Legislative Scanner Susie Hamilton

BUSINESS REPORT

**MONTANA SENATE
63rd LEGISLATURE - REGULAR SESSION**

SENATE LOCAL GOVERNMENT COMMITTEE

Date: Friday, February 22, 2013
Place: Capitol

Time: 3:00 PM
Room: 405

BILLS and RESOLUTIONS HEARD:

SB 253 - Require public employee unions to file annual report & recertify every 3 years - Sen. Janna Taylor
SB 293 - Require certain water and sanitation information at subdivision preapplication - Sen. Bruce Tutvedt
SB 322 - Revise justice court laws - Sen. Fred Thomas

EXECUTIVE ACTION TAKEN:

SB 293	Do Pass As Amended	SB 284	Tabled
SB 324	Do Pass As Amended	SB 322	Tabled
SB 271	Do Pass As Amended		
SB 290	Do Pass As Amended		
SB 253	Tabled		

Comments:



SEN. Edward Buttrey, Chair

MONTANA STATE SENATE
Roll Call
LOCAL GOVERNMENT COMMITTEE

DATE: 2-22-13

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
SENATOR ED BUTTREY, CHAIRMAN	✓	
SENATOR JANNA TAYLOR, VICE CHAIR	✓	
SENATOR SHANNON AUGARE	✓	
SENATOR DICK BARRETT	✓	
SENATOR SCOTT BOULANGER	✓	
SENATOR SUE MALEK	✓	
SENATOR ALAN OLSON	✓	
SENATOR BRUCE TUTVEDT		✓
SENATOR GENE VUCKOVICH	✓	



SENATE STANDING COMMITTEE REPORT

February 22, 2013

Page 1 of 1

Mr. President:

We, your committee on **Local Government** recommend that **Senate Bill 293** (first reading copy -- white) **do pass as amended.**

Signed: _____

Senator Edward Buttrely, Chair

And, that such amendments read:

1. Title, line 6.

Strike: "AND"

Following: "MCA"

Insert: "; AND PROVIDING AN APPLICABILITY DATE"

2. Page 3.

Following: line 7

Insert: "NEW SECTION. **Section 2. Applicability.** [This act] applies to applications submitted on or after [the effective date of this act]."

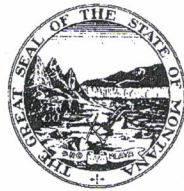
- END -

Committee Vote:

Yes 7, No 0

Fiscal Note Required ☐

SB0293001SC.swr



SENATE STANDING COMMITTEE REPORT

February 22, 2013

Page 1 of 3

Mr. President:

We, your committee on **Local Government** recommend that **Senate Bill 324** (first reading copy -- white) **do pass as amended.**

Signed: _____

Senator Edward Buttrely, Chair

And, that such amendments read:

1. Page 2, line 8.

Strike: "recreational camping vehicle,"

Following: "home"

Strike: ", "

2. Page 3.

Following: line 1

Insert: "(1) the building was in existence or under construction before [the effective date of this act];"

Renumber: subsequent subsections

3. Page 3, line 6.

Strike: "recreational camping vehicles or"

4. Page 3, line 11.

Strike: "(2) (d) "

Insert: "(3) (d) "

5. Page 3, line 18.

Strike: "five"

Insert: "three"

6. Page 3, line 19.

Committee Vote:

Yes 7, No 0

Fiscal Note Required ____

SB0324001SC.swr

Strike: "five"
Insert: "three"

7. Page 3, line 22.
Strike: "more than"
Following: "acres"
Insert: "or more"

8. Page 3, line 30.
Strike: "six"
Insert: "four"

9. Page 4, line 1.
Strike: "six"
Insert: "four"

10. Page 4, line 4.
Strike: "six"
Insert: "four"

11. Page 4, line 10.
Strike: "and"

12. Page 4.
Following: line 10
Insert: "(v) existing wells; and"
Renumber: subsequent subsection

13. Page 4, line 11.
Following: "buildings"
Strike: "."
Insert: ";

14. Page 4, line 26.
Strike: "six"
Insert: "four"

15. Page 5, line 5.
Strike: "six"
Insert: "four"

16. Page 5, line 9.
Strike: "-- six or more structures"

17. Page 5, line 10.

Strike: "additional"

18. Page 5, line 11.

Strike: "six or more"

19. Page 6, line 9.

Following: "department"

Insert: "or the local reviewing authority"

20. Page 6, line 11.

Strike: "and"

Insert: "or a landowner with a property boundary contiguous to
the tract on which the buildings are proposed to be located"

21. Page 6, line 12.

Strike: "or local reviewing authority"

22. Page 6, line 13.

Strike: "or local reviewing authority"

23. Page 6.

Following: line 14

Insert: "(3) For the purposes of this section, "aggrieved" has
the meaning provided in 76-3-625."

24. Page 8, line 10.

Strike: "further includes"

25. Page 8, lines 11 and 12.

Following: "condominium" on line 11

Insert: "."

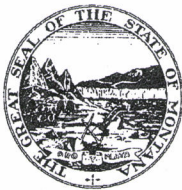
Strike: "or area" on line 11 through "homes" on line 12

Insert: "The term also means an area, regardless of its size,
that provides or will provide multiple spaces for rent or
lease on which mobile homes will be placed"

26. Page 12, line 11.

Strike: "recreational camping vehicles or"

- END -



SENATE STANDING COMMITTEE REPORT

February 22, 2013

Page 1 of 1

Mr. President:

We, your committee on **Local Government** recommend that **Senate Bill 271** (first reading copy -- white) **do pass as amended.**

Signed: _____

Senator Edward Buttrely, Chair

And, that such amendments read:

1. Page 2, line 9.

Strike: "has not entered into any"

Insert: "is not a party to any existing"

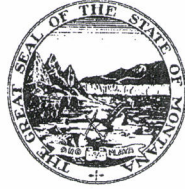
- END -

Committee Vote:

Yes 7, No 0

Fiscal Note Required ____

SB0271001SC.swr



SENATE STANDING COMMITTEE REPORT


February 22, 2013

Page 1 of 1

Mr. President:

We, your committee on **Local Government** recommend that **Senate Bill 290** (first reading copy -- white) **do pass as amended.**

Signed: _____


Senator Edward Buttrely, Chair

And, that such amendments read:

1. Page 1, line 14.

Strike: "1 mile"

Insert: "300 feet"

- END -

Committee Vote:

Yes 9, No 0

Fiscal Note Required ____

SB0290001SC.swr

BILL TABLED NOTICE

SENATE LOCAL GOVERNMENT COMMITTEE

The SENATE LOCAL GOVERNMENT COMMITTEE TABLED

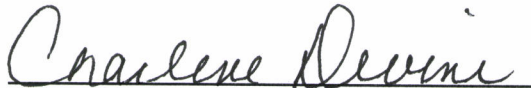
SB 253 - Require public employee unions to file annual report & recertify every 3 years -

Sen. Janna Taylor

SB 284 - Establish the property fairness act - Sen. Matthew Rosendale

SB 322 - Revise justice court laws - Sen. Fred Thomas

, by motion, on Friday, February 22, 2013.



(For the Committee)



(For the Secretary of the Senate)

6:50, 2/22
(Time) (Date)

February 22, 2013 (6:45pm)

Charlene Devine, Secretary

Phone: 4610

MONTANA STATE SENATE
Roll Call Vote
LOCAL GOVERNMENT COMMITTEE

DATE 2-22-2013 BILL NO. SB 322 MOTION NO. _____
MOTION: _____

<u>Tabled</u> <u>5</u> <u>4</u>			
NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR JANNA TAYLOR, VICE CHAIR		✓	
SENATOR SHANNON AUGARE	✓		
SENATOR DICK BARRETT	✓		
SENATOR SCOTT BOULANGER		✓	
SENATOR SUE MALEK	✓		
SENATOR ALAN OLSON		✓ pr	
SENATOR BRUCE TUTVEDT	✓		
SENATOR GENE VUCKOVICH	✓		
SENATOR ED BUTTREY, CHAIRMAN		✓ pr	

3

DATE 2-22-13 BILL NO. _____ MOTION NO. _____
MOTION:

Reconsider SB 3225 4

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR JANNA TAYLOR, VICE CHAIR	✓		
SENATOR SHANNON AUGARE		✓	
SENATOR DICK BARRETT		✓	
SENATOR SCOTT BOULANGER	✓		
SENATOR SUE MALEK		✓	
SENATOR ALAN OLSON	✓		
SENATOR BRUCE TUTVEDT	✓		
SENATOR GENE VUCKOVICH		✓	
SENATOR ED BUTTREY, CHAIRMAN	✓		

MONTANA STATE SENATE
Roll Call Vote
LOCAL GOVERNMENT COMMITTEE


DATE 2-22-13 BILL NO 322 MOTION NO. _____
MOTION: _____

Do Not Pass 2 7

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR JANNA TAYLOR, VICE CHAIR	✓		
SENATOR SHANNON AUGARE		✓	
SENATOR DICK BARRETT		✓	
SENATOR SCOTT BOULANGER	✓		
SENATOR SUE MALEK		✓	
SENATOR ALAN OLSON		✓	
SENATOR BRUCE TUTVEDT		✓	
SENATOR GENE VUCKOVICH		✓	
SENATOR ED BUTTREY, CHAIRMAN		✓	

SENATE PROXY

I, Senator GENE VUCKOVICH, hereby authorize Senator
ANKARE to vote my proxy before the Senate
Local Government meeting held on 02/22/13, 2013.



Senator Signature

02/22/13
Date

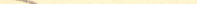
Said authorization is as follows: *(mark only one)*

- ☒ All votes, including amendments.
- ☐ All votes as directed below on the listed bills, and all other votes.
- ☐ Votes only as directed below.

[illegible]

SENATE PROXY

I, Senator ALAN OLSON, hereby authorize Senator Jama Taylor to vote my proxy before the Senate meeting held on 2-22-, 2013.



Senator Signature

2-22-2013
Date

Said authorization is as follows: *(mark only one)*

- ☒ All votes, including amendments.
- ☐ All votes as directed below on the listed bills, and all other votes.
- ☐ Votes only as directed below.

[illegible]

SENATE PROXY

I, Senator Ed Buthey, hereby authorize Senator Janna Taylor to vote my proxy before the Senate Local Government meeting held on 4/11/13 - 4/27/13, 2013.

Senator Signature _____

2/4/13
Date

Said authorization is as follows: *(mark only one)*

- ☒ All votes, including amendments.
- ☐ All votes as directed below on the listed bills, and all other votes.
- ☐ Votes only as directed below.

[illegible]

SENATE LOCAL GOVERNMENT COMMITTEE

Sponsor: **Sen. Janna Taylor**

PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA STATE SENATE

SENATE LOCAL GOVERNMENT COMMITTEE

3:00 P.M.

SB 322 - Revise justice court laws

PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA STATE SENATE

SENATE LOCAL GOVERNMENT COMMITTEE

3:00 P.M.

SB 293 - Require certain water and sanitation information at subdivision preapplication

PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

Devine, Charlene

From: Hayes, Kevin
Sent: Friday, February 22, 2013 2:17 PM
To: Devine, Charlene
Cc: Spencer, Nadine
Subject: FW: Senate Bill 322

Charlene,

Judge Robin Clute submitted the email below via our legislative webmaster email account. She called & asked if I would forward her comments to the Local Govt committee; I am forwarding her email as she requested.

Let me know if you have any questions. Thank you.

Kevin

Kevin Hayes, Legislative Communications Officer
Montana Legislative Services Division
State Capitol Rm 110
1301 E 6th Ave
PO Box 201706
Helena MT 59620-1706
(406)444-3067
FAX (406)444-3036
khayes@mt.gov

From: Robin Clute [<mailto:rclute@rc.mt.gov>]
Sent: Thursday, February 21, 2013 4:04 PM
To: LAWS Webmaster
Subject: Senate Bill 322

It is my understanding that the above bill will be presented to the Local Government committee for their consideration on Friday, 2/22/13.

The primary sponsor is Senator Fred Thomas.

As a Justice Court judge in Ravalli County, I am asking that this bill be opposed.

I do not dispute that members of my staff are considered employees of Ravalli County and that the commissioners have authoritative measures in that regard.

However, the language set forth in 3-10-103(4) MCA as proposed by Senator Thomas is concerning to me. If this information is done without input from the courts as to what our courts do on a daily basis and is looked at purely from statistical data, their judgment may be skewed. While all courts have the laws to guide them, the daily operations of each court may vary.

Thank you for your consideration.

Judge Robin L Clute

Devine, Charlene

From: Karen Orzech <korzech@co.missoula.mt.us>
Sent: Friday, February 15, 2013 8:38 AM
To: Devine, Charlene
Subject: Regarding SB322

Would you please notify the members of the Senate Local Government Committee that I urge them to vote no on SB322. In my opinion the bill is a violation of the separation of powers. The bill also contradicts Title 3 of the MCA where it is written that the judge shall be the administrator of the court.

Thank you for your consideration.

Justice Karen Orzech
Missoula County
Justice of the Peace
Department II